

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
EVANSVILLE DIVISION

**MINUTE ENTRY FOR JUNE 22, 2023  
TELEPHONIC STATUS CONFERENCE  
HON. MARK J. DINSMORE, MAGISTRATE JUDGE**

The parties appeared in person, by counsel, and by representatives for a telephonic Status Conference. The parties discussed the status of and future plans for discovery.

The Court and parties also discussed the parties' Joint Motion to Vacate and Reschedule Settlement Conference. [Dkt. 251.] That motion is **GRANTED** and the July 21, 2023 settlement conference in this matter is hereby **CONTINUED** to **9:00 a.m. (Central) / 10:00 a.m. (Eastern) on Thursday, October 5, 2023**, and the Court's Order scheduling the settlement conference [Dkt. 247] is amended as follows:

**On or before September 29, 2023, the parties shall submit (not file) a confidential settlement statement setting forth a brief statement of: (1) relevant facts, including any key facts that the party believes are admitted or in dispute; (2) damages, including any applicable back pay, mitigation, compensatory and/or punitive damages, or any other special damages; (3) the existence of any applicable liens; and (4) any pending or anticipated dispositive or other substantive motions and citation to controlling precedent in support of their respective legal positions. The confidential settlement statement should not exceed five pages, and submission of exhibits should be kept to a minimum. Confidential settlement statements should be submitted via email to [MJDinsmore@insd.uscourts.gov](mailto:MJDinsmore@insd.uscourts.gov). There is no need to follow any email submission with a hard copy.**

**No later than September 13, 2023, Plaintiff shall serve an updated settlement demand on Defendants**, which demand shall include a breakdown of any special damages sought by Plaintiff, as well as a detailed explanation of the basis for any other amounts claimed in the demand (the "Demand"). The Demand should represent the actual initial good faith negotiating position of the Plaintiff at the time it is made. **No later than September 28, 2023, Defendants shall serve a good faith response to the Demand**. Such response should represent the actual initial good faith negotiating position of the Defendants at the time it is made. **The parties shall submit (not file) courtesy copies of their respective demand and response to the Court at the time of service. These should be emailed to the Magistrate Judge at MJDinsmore@insd.uscourts.gov.**

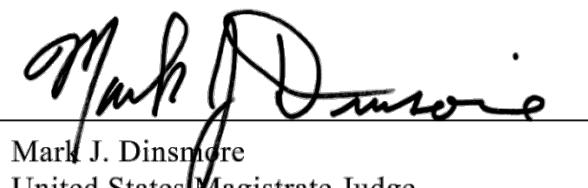
The parties are instructed to jointly prepare and submit (not file) a draft settlement agreement, noting any disagreement by the parties. The agreement in question should represent, to the extent possible in the circumstances, the **final written agreement** intended by the parties to resolve the case and should contain **all material provisions** that any party believes should be contained within such document, such that the settlement agreement proposed can be executed in full and final settlement of the matter at the successful conclusion of the settlement conference. **The draft settlement agreement shall be emailed to the Magistrate Judge in Word format at MJDinsmore@insd.uscourts.gov no later than September 29, 2023.**

Counsel for the parties **shall immediately notify their clients and any other necessary participants** of the date of the settlement conference, and any request to vacate or continue the settlement conference must be made by motion filed with the Court on or before **July 10, 2023**, except in exigent circumstances. These motions will be granted only for good cause.

All other requirements of the Court's Order scheduling the settlement conference [Dkt. 247] remain in effect.

This matter is scheduled for a telephonic status conference on **Friday, July 21, 2023 at 10:30 a.m. (Central) / 11:30 a.m. (Eastern)** to discuss case status, as well as the parties' next Supplemental Joint Report on the Status of Discovery, which is due July 18, 2023. Counsel shall attend the status conference by calling the designated telephone number, to be provided by the Court via email generated by the Court's ECF system.

Dated: 5 JUL 2023



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Mark J. Dinsmore  
United States Magistrate Judge  
Southern District of Indiana

Distribution:

Service will be made electronically  
on all ECF-registered counsel of record via  
email generated by the Court's ECF system.